

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

TENDLER CELLULAR OF TEXAS, LLC

Plaintiff,

V.

AT&T MOBILITY, LLC, CELLCO
PARTNERSHIP d/b/a VERIZON WIRELESS,
SPRINT SPECTRUM, LP and NEXTEL
OPERATIONS, INC.,

Defendants.



CIVIL ACTION NO. 6:09-CV-00115

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL

Based on the settlement agreement reached between the parties, Plaintiff, TENDLER CELLULAR OF TEXAS, LLC (“Tendler”), and defendant, AT&T MOBILITY, LLC (“AT&T”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing with prejudice all claims asserted by Tendler against AT&T and all counterclaims asserted by AT&T, with each party to bear its own costs, expenses and attorney’s fees.

Nothing in this Motion shall be construed as a release or discharge of any claim Tendler has or may have in the future against any other defendant named in this action. All such rights have been, and are, expressly reserved by Tendler.

Dated: June 18, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of June, 2010, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/Jonathan T. Suder